

PROPOSED LAND USE CONTROL AMENDMENTS

May 4, 2022

1. PART 302 DEFINITIONS

- a. **Add Definition** and renumber remaining paragraphs “302.05. “Advanced stormwater treatment” means stormwater best management practices (such as those from the New Hampshire Stormwater Manual, as amended) for treatment of impervious surfaces that reduce runoff volume or provide superior stormwater management and pollutant removal through measures including, but not limited to, bioretention, bioswales, tree planters, gravel wetlands and/or infiltration/filtration systems (e.g. porous pavements, subsurface infiltration, sand filters, infiltration trenches).”
- b. **Add Definition** and renumber remaining paragraphs “302.32 “Impervious surface” means any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include, but is not limited to: roads, driveways, structures, artificial turf, and compacted gravel or soil.

2. PART 303 ZONING DISTRICTS AND PERMITTED USES

- a. 303.01 Zoning map. Refer to attachment showing expansion of Industrial Zone.
- b. 303.02 Airport Zone
 - i. 303.02(a) **Delete** “792 acres” **Replace with** “813 acres”
 - ii. 303.02(a) **Delete** “. The Airport Zone also includes the North Apron, the terminal overflow parking area and the parcel bounded on the north by the NH Air National Guard cantonment area; on the west by the Airport Zone (aircraft parking limit); on the south by the Airport Industrial and Industrial Zones and on the east by the Business Commercial Zone.” **Replace with** “up to the south edge of the Taxiway Juliet pavement; and then turning and being bordered on the south by the Airport Industrial Zone and the Industrial Zone to a point approximately 390 feet west of the centerline of NH Avenue; on the east from said point along a line approximately 625 feet and then turning and following a line approximately 390 feet to the center line of NH Avenue, then following NH Ave to the intersection with Exeter Street, then following Exeter Street approximately 590 feet to a point, then turning and following a line approximately 694 feet to the NH Air National Guard cantonment boundary; then following the NH Air National Guard cantonment boundary back to the aircraft parking limit line and the point of beginning; the Airport Zone also includes the North Apron.”
- c. 303.03 Airport Industrial Zone
 - i. 303.03(a) **Delete** “448 acres” **Replace with** “333 acres”
 - ii. 303.03(a)(2) **Delete in its entirety and replace with** “In the area geographically situated in the Town of Newington, bounded on the north by the Newington Town Forest; on the east by the Industrial Zone; on the south by the NH Air

National Guard cantonment area to the North Apron, and turning and following the North Apron boundary to its intersection with the aircraft parking limit; and on the west by the Airport Zone.”

- d. 303.04 Industrial Zone
 - i. 303.04(a) **Delete** “333 acres” **Replace with** “432 acres”
 - ii. 303.04(a)(2) **Delete in its entirety and replace with** “In the area geographically situated in the Town of Newington, bounded on the north by the boundary of the PDA land at its border with land of NHDOT and then Arboretum Drive, and then along Arboretum Drive to the Newington Town Forest; on the west by the Newington Town Forest, the Airport Industrial Zone, and the NH Air National Guard cantonment area to the intersection with Pease Boulevard; on the south by Pease Boulevard; and on the east by Spaulding Turnpike.”
- e. 303.06 Natural Resource Protection Zone
 - i. 303.06(a) **Delete** “781 acres” **Replace with** “698 acres”
 - ii. 303.06(a) **Delete** “To the north, it includes the area between the former Pease Air Force Base perimeter and the Airport Industrial and Airport Zones; to the west, the area between the Airport Zone and McIntyre Road to former Base perimeter then southerly along the former base perimeter; to the south, the area between the former Base perimeter and Airport, Airport Industrial, Industrial, and Business/Commercial Zones; and to the east the area between the former Base perimeter boundary and the Business/Commercial Zone up to the wastewater treatment facility.”
 - iii. **Add** 303.06(a) “(1) The Natural Resource Protection Zone includes the land bounded by the Business Commercial Zone beginning near the wastewater treatment plant, then the Industrial, Airport Industrial, and Airport Zones ending at Arboretum Drive and Short Street and the perimeter of the Pease Development Authority land back to the point of beginning.
 - iv. **Add** 303.06(a) “(2) The Natural Resource Protection Zone also includes a northeastern parcel bounded by the perimeter of the Pease Development Authority land and the Industrial Zone.

3. PART 405 SITE PLANNING STANDARDS

- a. 405.02 Vehicular and Pedestrian Circulation
 - i. 405.02(g) **Delete** “Sloped” New provision will read “Granite curbing shall be installed where accessways meet public streets.”
 - ii. 405.02(j) **Delete and replace with** 405.02 (j) “All development shall provide for a system of pedestrian access that connects the major building entrances/exits, parking areas, and sidewalks within and adjacent to the property.”
 - iii. **Add** 405.02 (j) “(1) Pedestrian pathways shall be easily accessible to all users and shall comply at a minimum with ICC/ANSI 117.1, latest edition.”
 - iv. **Add** 405.02(j) “(2) Sidewalks conforming to this Part shall be provided in the public right of way along the entire parcel frontage. Sidewalks within the right

of way shall be of Portland Cement Concrete and shall be fiber reinforced. Welded wire fabric is prohibited.”

- v. **Add** 405.02(j) “(3) Sidewalks within the lot lines of the site shall be surfaced with Portland Cement Concrete or other hard surface approved by the Board.”
- vi. **Add** 405.02(j) “(4) Sidewalks shall be at least five 5 feet wide.”
- vii. **Add** 405.02 “(l) The site plan shall accommodate use by bicycles (including bicycle racks). Bicycle facilities shall be designed in accordance with AASHTO guide for the Development of Bicycle Facilities, as amended.”

b. 405.07 Stormwater Management

- i. 405.07(a) **Delete and replace with** “All stormwater runoff in contact with developed areas shall be treated by the use of advanced stormwater treatment to minimize off-site discharge of pollutants to ground and surface waters by minimizing the volume and rate of stormwater runoff, the amount of erosion, and the export of sediment from the site.
- ii. 405.07(b) **Delete and replace with** “The quantity of impervious surface shall be minimized to the greatest extent practical.”
- iii. 405.07(c) **Delete and replace with** “For any development proposing to add impervious surface for the purpose of vehicle parking and/or traffic circulation at a site that does not conform with the requirements of Part 405.07(a), all new impervious area, as well as at least an equal amount of existing impervious area shall be provided with advanced stormwater treatment.”
- iv. **Add** 405.07 “(e) All stormwater catch basins shall have deep sumps (four feet) and shall have hoods on outlet pipes.”

4. PART 407 PROCEDURES FOLLOWING SITE REVIEW APPROVAL

a. 407.01 Approval Time Period

- i. 407.01(a) **Add** “The Board may, for good cause shown, extend such period by as much as one year if requested and acted upon prior to the expiration date.”
- ii. **Add** 407.01 “(b) An applicant may request, in writing, additional one-year extensions. Requests for extensions shall be evaluated by the Building Inspector who at his/her discretion shall either forward the request to the Board for action, or first require technical review to make a recommendation to the Board. The Building Inspector or the Board may, if deemed necessary, require a public hearing(s) conducted during technical review, Board review, or both.
- iii. **Add** 407.01 “(c) A time extension may be granted if determined that no change has taken place that would affect the currently approved site plan in regard to, but not limited to:
 - (1) Traffic flow, volume, or congestion;
 - (2) Pedestrian safety;
 - (3) Drainage;
 - (4) Water availability;
 - (5) Sewer capacity;
 - (6) Design standards;

- (7) Landscape elements;
- (8) Zoning compliance.”

5. Part 408 CERTIFICATE OF OCCUPANCY

Delete in its entirety and replace with “PART 408 PROJECT INSPECTION AND COMPLETION”

a. **Add “408.01 Final Inspection Notification**

The applicant shall notify the PDA Building Inspector when the project is ready for final inspection and request a release of any posted security. The notification shall be accompanied by a letter signed and stamped by a Professional Engineer stating that construction of the site work has been completed in conformance with the approved plans.”

b. **Add “408.02 As Built Plan**

Upon the completion of the project, the applicant/ developer shall submit an as-built plan of the development on mylar and in digital format (AutoCAD.dwg) to the PDA. The as- built plan shall include all surface and subsurface features, easements, licenses, rights-of-way, and maintenance agreements. As-builts shall be prepared and stamped by a New Hampshire licensed land surveyor. The PDA may, in its discretion, waive the requirement for an as- built plan for minor projects.”

c. **Add “408.03 Release of Security**

Upon receipt of request for release of security, the PDA Building Inspector will inspect the site to determine conformance with the site plan approval. For conforming work, the Building Inspector will coordinate the security release. If work is found to be not in conformance, the applicant will be provided with a list of outstanding items and an estimated cost to complete the items. PDA will coordinate a security reduction to the estimated amount. Only one security reduction is permitted.

The PDA Building Inspector may release the security only after receipt of the as-built plan, the engineer’s certification, a final inspection by the PDA Building Inspector, the issuance of a Certificate of Occupancy by the applicable municipal building inspector, and completion of all required conditions of the approved site plans and site review agreement.”

6. PART SUBDIVISION APPLICATION REQUIREMENTS

- a. Part 502.03(a)(7) **Add “Where lots are being subdivided from the unsubdivided Pease lot, which property lines are, in general, comprised of the outermost boundaries of the parcels acquired by the Pease Development Authority pursuant to the Surplus Property Act, plats need not include the dimensions and bearings of the existing Pease property lines.”**